

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re : James A. Luecke ,
creditor

DELPHI CORPORATION, et al. ,
Debtors .

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

TO Court and Clerk Please file the following in the Above Titled case

1. Creditor James Luecke Supplemental Reply September 24, 2010 Hearing
2. And Supplemental Reply May 20, 2010 Hearing for convienance
3. Exhibits M,N,O,P and Q
4. Addendum * Secured New evidence (Original posting of skilled trade transfers to Kokomo Delphi Plant) exhibit R

Thank you.

Sincerely,

James A. Luecke

U.S. BANKRUPTCY COURT
FILED
2010 SEP 23 PM 3:58
S.D.N.Y.

Dated at Milwaukee, Wisconsin this 20th day of September 2010 .

By James Luecke

**DELPHI
UAW SKILLED TRADES
LOCAL 438**

August 9, 2007

UAW Skilled Trades Openings at Delphi Kokomo Indiana Plant

There will be 25 Skilled Trade Positions open at the Delphi Kokomo Indiana plant. More details on transfers will be available as the information and details become available.

Anyone interested in transfers should sign a list at the Union Office.

Thank you for your patience under the current circumstances.



Scott Weber,
UAW Shop Chairperson



James Luecke,
UAW Skilled Trades
Committee Chairperson

Exhibit R

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES LUECKE

Creditor,

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

CERTIFICATE OF SERVICE

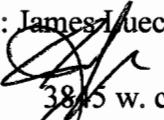
1.CREDITOR'S SUPPLEMENTAL REPLY (September 24, 2010) and(May 20, 2010)
Included for convenience and reference and Exhibits M,N, O,P and Q

CERTIFICATE OF SERVICE

I James Luecke CERTIFY that a copy of the foregoing has been sent by U.S. Mail to all
of the counsel listed in the debtors motion.

This 20th day of September, 2010.

BY : James Luecke


3845 w. college ave.
Milwaukee, WI 53221
414 - 421-5729

Dated at Milwaukee Wisconsin this 20th day of September 2010.

**In The United States Bankruptcy Court
Southern District Of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

Supplemental Reply

September 24, 2010 Hearing

ADMINISTRATIVE CLAIM [#17081],[18049]

Ex

**Defendants' Spoilation / Intentional Concealment , Post-facto evidence
fabrication in violation F.R.C.P. rule 37**

SUMMARY OF PROCEEDINGS

The creditor James A. Luecke appeared at the hearing May 20, 2010 as well as the Debtor represented by Louis S. Chiappetta Associate Skadden, Arps, Slate, Meagher & Flom LLP

1. To Resolve the issue of the above titled claims and grievance set forth in the record .
2. To obtain at the request of Judge Drain the original or bona fide (MOU) rule 96a transfer agreement between Delphi Milwaukee- Delphi Kokomo.
2. Whether Delphi would be responsible for said grievance also attached as Exhibit P, Q and claims or GM would assume the grievances and claims.

FOURTH CAUSE OF ACTION (continuation of Supplemental Reply of May 20,2010)
Spoilation of Evidence

(1) That Defendant Delphi is required under court order to preserve and produce documents required for this bankruptcy proceeding and have failed to produce the Bona fide copy of the original paragraph 96 transfer agreement at the request of Judge Drain at the May 20th 2010 hearing ; (2) This evidence is and was material to the litigation; (3) That plaintiff James A. Luecke could not reasonably have obtained access to the evidence from another source; (4) That Defendant Delphi intentionally withheld, and altered the evidence with 3 year postfacto dated signatures and/or destroyed the evidence with purpose to disrupt the litigation; and (5) That plaintiff James A. Luecke was damaged and prejudiced in the underlying action by having to rely on an evidential record that did not contain the evidence Defendant concealed.

FIFTH CAUSE OF ACTION
Intentional and Negligent Concealment of Evidence

(1) That defendant Delphi is required under court order to preserve and produce documents required for this bankruptcy proceeding and have failed to produce the Bona fide copy or the original paragraph 96 transfer agreement at the request of Judge Drain at the May 20th 2010 hearing ; (2) This evidence is and was material to the litigation; (3) That plaintiff James A. Luecke could not reasonably have obtained access to the evidence from another source; (4) That defendant Delphi intentionally withheld, and at the very least with culpable negligence concealed and/or destroyed the evidence with purpose to disrupt the litigation; and

(5) That plaintiff James A. Luecke was damaged and prejudiced in the underlying action by having to rely on an evidential record that did not contain the evidence defendant Delphi concealed.

STATEMENT OF THE FACTS

1. Attorney Louis S. Chiappetta Associate Skadden, Arps, Slate, Meagher & Flom LLP tried to willfully and with fault to represent , misrepresent a non signed, non dated memorandum as an enforceable authentic 96 transfer agreement MOU to the court and James A. Luecke acting pro per as evidence as reflected in the court record at the May 20, 2010 Hearing. James A. Luecke put on the court record “ the Defendant Delphi Attorney is committing fraud on the court with this conduct”

The Defendant Delphi with intentional or at the very least negligent culpable conduct should not be allowed to operate in this court and reject claims with this misfeasance .

2. James A. Luecke conferred with Defendants' counsel on September 7th, 2010 and September 13, 2010 and put the Defendants' Attorney Louis S. Chiappetta Associate Skadden, Arps, Slate, Meagher & Flom LLP on notice about spoilation of the evidence and trying to use non signed, non dated and, ~~Ex~~ fabricated /'post-facto signed dated documents in court as evidence . Defendant admits they can not “find the bona fide 96 transfer agreement” and could not get it from UAW either.

This must be treated as failure to disclose , spoilation of the evidence and /or ~~Ex~~ postfacto fabrication of evidence in violation of F.R.C.P. rules 37, and F.R.C.P. rule 1007, 802 and rule 1002

3. On or about September 13, 2010 James A. Luecke contacted Ed Risko (313) 665-4920 Corporate attorney for General Motors who said " GM's position is ; it is not assuming any grievances from the Milwaukee Delphi Plant as it was not part of the acquisition."

ARGUMENT

4. The Defendant Delphi and Attorney Louis S. Chiappetta owed a care a duty to the court to not use or represent , misrepresent an unsigned, undated document[s] fabricated ^{Ex} three years[^{Ex} postfacto -signed] and pass it off as an enforceable contract (bona fide 96a transfer agreement) to influence the outcome of this proceeding . This conduct is willful and at the very least negligent and culpable by the Defendant.

5. The Defendant (Delphi)is not being candid, with the court saying that they can not find the original **MOU 96a transfer agreement** which they are required to preserve provided by court order ; and they have concealed / spoiled the evidence, and have done so by using the artifice of producing an unsigned ,undated contract (MOU) 96a transfer agreement in this court, misrepresenting it as the original agreement and then[^{Ex} producing the same document fabricated post facto 3 years latter with signatures [which constitutes at the very least spoliation of the evidence and /or fabrication of evidence

ALL of Defendant DELPHI hearsay and hearsay evidence is refuted directly by sworn statements of truth in the court record under penalty of perjury By James A. Luecke, Carl Anderson and Constance Pugh and by the official UAW Skilled Trades Meeting minutes December 9, 2007 (Exhibit O).

6. The Original bonified 96a Transfer agreement seen and represented to skilled trades committee UAW chairperson James A. Luecke (testified under oath, penalty of perjury at the May 20, 2010 hearing) and represented to the other skilled trades persons called for 110 transfers to the Kokomo plant as evidenced in Exhibit O of which 23 would be skilled trades as evidenced by Exhibit I , which would include electronic technicians as evidenced in Exhibit M and N sworn statements under penalty of perjury by Carl Anderson, Constance Pugh .

7. All direct testimony, statements of truth and documents sworn under penalty of perjury and set forth in the court record refute the Defendants hearsay (non signed, non dated , and 3 year post signed and fabricated non dated (MOU 96a transfer agreement) [Spoiled document] that says only (2) pipe fitters were the only to go to the Kokomo Delphi Plant under the 96a transfer agreement between Delphi Milwaukee - Delphi Kokomo.)

Delphi Corporation and its representatives recklessly, intentionally, unlawfully with deceitful acts violated James A. Luecke's contract rights provided by the (UAW -Delphi Corporation National Agreement) evidenced in the court record. Intentionally, willfully produced incorrect, partial, undated, unsigned, and 3 years post dated hearsay documents to conceal / spoil material evidence .

STATEMENT OF WHY CLAIM SHOULD BE ALLOWED

Debtors offer no rebuttal to statements of truth of the claims, And are offering (non signed, non dated , and 3 year ^{5x} post-facto signed hearsay and hearsay documents as well as participating in unlawful concealing and spoliation of evidence .)

therefore their objections fail as a matter of law.

The claimant James A. Luecke is respectfully asking the court to deny the Debtors' objections and/ or strike all the Defendant's DELPHI related pleadings and objections to the said claims and , as a sanction for their violations of court rules and conduct , and enlight of all the supporting evidence in the court record

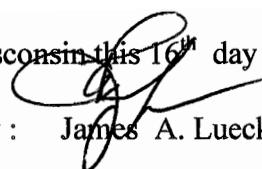
the Claimant is moving the court to Compel Payment of James A. Luecke's claims [#17081], [#18049].

TOTAL AMOUNT OF ADMINISTRATIVE CLAIMS [# 17081],[18049]

(\$318,000.00) Three hundred eight-teen thousand dollars .

Address of claimant : James A. Luecke
3845 w. college ave.
Milwaukee, WI 53221

Dated at Milwaukee, Wisconsin this 16th day of September 2010 .

By : 
James A. Luecke

United Automobile Workers, Local 438,

CASE No. 30-CB - 5314

Charging Party,

v.

International Union, Automobile, Aerospace, and Agricultural
Implement Workers.

Labor Organization and Agents against which charge is brought.

UNSWORN DECLARATION

I CARL ANDERSON attest

(under penalty of perjury) to :

on or about June 27th 2007 , The president of the UAW local 438 Mr. Frank Johnson said at the Kokomo
International meeting while representing the UAW National Agreement that " Delphi of Kokomo Indiana must
take you at your present position. "under the paragraph 96 transfer. (which was - is electronic technician
specification .)

Signature Carl Anderson

Dated this 29th day of July 2008 in Milwaukee Wisconsin .

UAW LOCAL 438
7435 South Howell Avenue
Oak Creek, WI 53154

Exhibit M

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

United Automobile Workers, Local 438,

CASE No. 30-CB - 5314

Charging Party,

v.

International Union, Automobile, Aerospace, and Agricultural
Implement Workers.

Labor Organization and Agents against which charge is brought.

UNSWORN DECLARATION

I Constance D. Pugh attest

(under penalty of perjury) to :

on or about June 27th 2007 , The president of the UAW local 438 Mr. Frank Johnson said at the Kokomo
International meeting while representing the UAW National Agreement that " Delphi of Kokomo Indiana must
take you at your present position. "under the paragraph 96 transfer. (which was - is electronic technician
specification .)

Signature Constance D. Pugh

Dated this 29th day of July 2008 in Milwaukee Wisconsin .

UAW LOCAL 438
7435 South Howell Avenue
Oak Creek, WI 53154

EXHIBIT N

International Union Automobile
Aerospace and Agricultural Implement
Workers of America, UAW Local 438
Skilled Trades

Attention: Scott Weber (Shop Chairman)
Frank Johnson (President)
Fred Royal (Vice President)
Hazel Washington (Civil Rights Committee)

The skilled trade workers of the Electronic Technician classification [A 493] are aware that you (Scott Weber) have filed a grievance in regard to management's flagrant disregard and violation of Paragraph (96) Transfer provided by the UAW National Contract that is in effect and being offered to other employees in the Oak Creek, Wisconsin Delphi plant.

The skilled trades Electronic Technician Group has been informed that Corporate Delphi of Kokomo is having electricians trained by contractors to perform the duties and work specification of the Electronic Technician Group [A 493] on the equipment that has been moved from the Oak Creek, Wisconsin plant to the Kokomo, Indiana plant .

At this time the management's flagrant disregard for Paragraph (96) has also been discriminatory. All Individuals of the group wish to participate fully with the grievance procedure and are requesting the written responses to all steps of this grievance.

Sincerely,

M. Wardeh *M. Wardeh*
G. Alekseyev *Gina Alekseyev*
P. Kuttamparamil *P. Kuttamparamil*
J. McCarty
A. Quigley *A. Quigley*
A. Hudy *A. Hudy*
A. Kopplin *A. Kopplin*
D. Loving *D. Loving*
J. Luecke *J. Luecke*
D. Miller *D. Miller*
C. Pugh *C. Pugh*
S. Szymanski *S. Szymanski*
M. Phifer
C. Anderson *C. Anderson*

Dated this 17th of January 2008
Oak Creek, Wisconsin 53154.

Exhibit O

Dept.: A49.3 Date: 1-18-08 Time: 9:45 AM PM

Nature of Grievance:

We charge management with violation of Paragraph 96 of the National Agreement in their movement of work from UW-Delphi Milwaukee Local 438 to UW-Delphi Johnson Local 293 without the commitment to transfer UW-Delphi Milwaukee effect employees with the transfer of operations. The union (we) demand this position be met once and that the UW-Delphi classification be allowed to transfer to Johnson and all affected employees be made up to all monies and benefits due. See attachment.

Signed: JohnSocial Security #: 396-86-1427

Committeeperson:

Marilyn C. Faus

Reported to (Supervisor):

T. W. M. J. 01-18-08

First Step Disposition of Supervisor:

This complex issue is under evaluation. Return to Don Thasseyra on January 29, 2008 for update.

Supervisors Signature: Don ThasseyraDate: 1/18/08

Committeepersons Initials

Settled: YES NOReferred to Step: 1 1/2 2

Step One and One Half Disposition of Higher Supervision:

Higher Supervision Signature:

Date: 1/1

Committeepersons Initials

Settled: YES NOReferred to Step: 2EXHIBIT P



LOCAL 438 UAW

SKILLED TRADES MEETING

December 9, 2007

- ◆ The meeting was called to order at 9:01 a.m. Roll call: Conni Pugh, Steve Szymanski, Scott Weber, William Pugh and James Luecke.
- ◆ *Shop Chair's Report – Scott Weber*
Tech 2000 goes away mid-February, everything else the second week of January. See presentation sheet.
- Connie: When are we laid off?
- Scott: See the current layoff schedule, no specifics on the Skilled Trades.
- Scott: There are Paragraph 96 transfers available for 110 people to go to Kokomo.
- Steve: Can the International Union enforce the transfers?
- Scott: Yes.
- Scott: Ten people walked away from severance money and we were not able to contact them yet, but a grievance was filed.
- Conni: When I left the meeting with the International, Local 438 President Frank Johnson told me they have to take you in Kokomo.
- Scott: It has been getting hostile. In a plant meeting regarding layoffs, Tim Wilimitis was hostile, blurted or resorted to calling me an expletive when I wanted the people being laid off to have the right to work on Saturday.
- William: File a grievance as soon as possible on the Paragraph 96 transfers.
- Jim: Yes, we are looking at a projected 5 years of work and healthcare benefits.
- William: That grievance has to be filed as soon as possible.
- Jim: We don't want to settle for any \$1,000, we need the job or equitable compensation for 3 – 5 years wages and benefits.
- Scott: I'll file a grievance on the Para 96 transfers.
- Steve: Do we get sub pay for 26 weeks?
- Scott: It would be under the supplemental agreement.
- Scott: No ET's can be laid off until the contract workers are gone.
- Steve: Will we be doing the work of the other unions in our plant when they leave?
- Scott: The IAM and IBEW will have one person staying.
- William: Will school be covered?
- Scott: Yes, check with Workforce Development.
- Jim: And TAA, some stipulations on what is covered.
- Steve: Safety issues: no stress floor mats in Toyota 09, no exit on Lobby 1 fire hazard, and no lunch room.
- Scott: I talked to management and told them I want no complaints about people returning late from lunch.

- ◆ Motion: M/S/C (Steve Szymanski, Scott Weber) To adjourn. Meeting adjourned at 9:37 a.m.

Respectfully Submitted,

James Luecke, Chairperson
Skilled Trades Committee
Local 438 UAW

EXHIBIT Q

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke

Creditor,

DELPHI CORPORATION, et al. ,

Chapter 11

Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

To Court And Clerk : Please File the following in the Above Titled case

1. CREDITOR'S James A. Luecke's SUPPLEMENTAL REPLY for May 20, 2010
Hearing.

2. Declarations- Exhibits A-L attached

CERTIFICATE OF SERVICE

I James A. Luecke CERTIFY that a copy of the foregoing has been sent by U.S. Mail to
all of the counsel listed in the debtors motion.
this 15th day of May , 2010.

BY : James A. Luecke


3845 w. college ave.
Milwaukee, WI 53221
414 - 421-5729

Dated at Milwaukee Wisconsin this 20th day of April 2010.

**In The United States Bankruptcy Court
Southern District Of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Debtors.

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Copy

Supplemental Reply

May , 20 2010 Hearing
ADMINISTRATIVE CLAIM [#17081] ,[18049]

The claims[#17081] ,[18049] have not been refuted by any sworn statement of Truth , or any sworn testimony by Delphi Corporation et al. as evidenced by Exhibit H .

All evidence of truth in the record is the right of James A. Luecke to payment of claims[#17081] ,[18049] and is supported by Exhibits A-L .

And-

The claims are about lost wages and compensation due to the following deceitful acts of the debtor. And nothing to do with pension or OPEB benefits.

FIRST CAUSE OF ACTION

The Intentional Tortious Interference of the Contract (UAW-Delphi Corporation National Agreement) by Delphi Corporation et al.

1. James A. Luecke had and has a recognized economic relationship between (UAW- Delphi Corporation as evidenced in the record by statement of truth (Exhibit A).
2. Delphi Corporation has knowledge and is participating in the (UAW - Delphi Corporation National Agreement) as evidenced in the court record by a statement of truth) Exhibit A ,B.
3. Delphi Corporation et al. participated in intentional acts of deskilling James A. Luecke's journeyman status designed to disrupt the relationship James A. Luecke has and had with (UAW- Delphi Corporation at el.) as evidenced in the court record by statement of truth (Exhibit C and E,F) . This was done even after numerous notifications by James A. Luecke to Delphi Corporation et al.evidenced by truth in the court record
4. Delphi Corporation et al caused actual disruption to the relationship and denied James A.Luecke transfer rights provided by paragraph 96a of the (UAW- Delphi Corporation National Agreement) as evidenced by statements of truth (Exhibits C, D,E,F,I ,J and L).
5. James A. Luecke suffered damages as a result of Delphi Corporation et al. reckless and intentional and proximate acts as evidenced in the court record by statement of truth.(Exhibit G)

5. James A. Luecke suffered damages as a result of Delphi Corporation et al. reckless and intentional and proximate acts as evidenced in the court record by statement of truth.(Exhibit G)

SECOND CAUSE OF ACTION

Breach of Contract (UAW - Delphi Corporation National Agreement)

Delphi Corporation et al. failed its performance of the (UAW - Delphi Corporation National Agreement) intentionally with forewarning as evidenced in the court record by statement of truth and denied James A. Luecke his rightful transfer under paragraph 96a of the (UAW- Delphi Corporation National Agreement). Delphi Corporation was reckless, full of malice and intentional in this breach (Exhibits A-L) . Damages resulted from this breach as evidenced in the court record by statement of truth.(Exhibit G)

THIRD CAUSE OF ACTION

Defamation of Character by Delphi Corporation et al.

Delphi Corporation et al. made the statement that James A. Luecke was not qualified as a journeyman electronic technician, this statement was false, untrue and not privileged (as evidenced in the court record by statement of truth(Exhibit A,B,C,E). It was published in Delphi Corporation and caused harm to James A. Luecke's professional reputation and caused denial of transfer rights and future considerations as evidenced in the court record by statement of truth Exhibits C,D,E,G.

*Additional evidence Declarations under penalty of perjury (I through L) and (A-I for clarity of the court record) submitted for the court record in support of this reply and claims # 17081,#18049

STATEMENT OF WHY CLAIM SHOULD BE ALLOWED

Debtors offer no rebuttal to statements of truth of the claims,
therefore their objections fail as a matter of law.

Also, the claim including evidence of truth was properly and timely filed,
which has not been disputed by any statements of truth, by the debtors' and the claimant
established the *prima facia* right to payment based on material facts and truth as
evidenced in the record. The debtors' offer no
reasonable objection and offer a frivolous, erroneous objections at best. Any reasonable
Trier of the fact would deem the debtors' improper here-say objections doomed.
Therefore this claim should stand as a matter of law.

**The claimant is respectfully asking the court to deny the Debtors' objections to
James A. Luecke's claims [#17081], [#18049].**

**And is moving the court to Compel Payment of James A. Luecke's claims [#17081],
 [#18049].**

TOTAL AMOUNT OF ADMINISTRATIVE CLAIMS [# 17081],[18049]

(\$318,000.00) Three hundred eight-teen thousand dollars .

**Address of claimant : James A. Luecke
3845 w. college ave.
Milwaukee, WI 53221**

Dated at Milwaukee, Wisconsin this 14th day of May 2010 .

By : James A. Luecke

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

(ACTIVE DELPHI -UAW HOURLY EMPLOYEE ON TEMPORARY LAYOFF)

James A. Luecke

I

attest

(under penalty of perjury) to :

I James A. Luecke am an Active Hourly DELPHI -UAW represented skilled trades employee classified on Temporary Layoff.

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

By : 
James A. Luecke

Exhibit A

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

~~UNSWORN~~ DECLARATION
IN LIEU OF AFFIDAVIT

(Hired as Hourly UAW -Delphi Journeyman Electronic Technician)

James A. Luecke

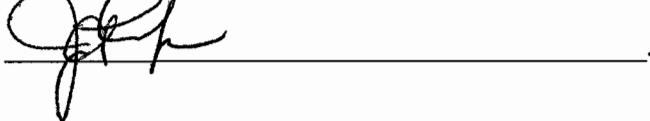
I

attest

(under penalty of perjury) to :

I James Luecke was hired at Delphi as a full Journeyman status UAW represented skilled trades electronic technician .

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

By : James A. Luecke

Exhibit B

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Debtors.

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

UNSWORN DECLARATION *UNDER PENALTY OF PERJURY*
IN LIEU OF AFFIDAVIT

(Willful and reckless, intentional deskilling Journeyman status ; defamation of professional reputation)

James A . Luecke

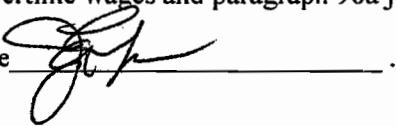
I

attest

(under penalty of perjury) to :

That Delphi and their company representatives willfully, recklessly , intentionally, ; deskilled my Journeyman status and defamed my professional reputation without notice or deficiency to deny overtime wages and paragraph 96a job transfer.

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

By : James A .Luecke

Exhibit C

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

UNSWORN DECLARATION *UNDER PENALTY OF PERJURY*

IN LIEU OF AFFIDAVIT

(Willful and flagrant denial of my UAW-Delphi 96a Transfer Rights)

James A. Luecke

I

attest

(under penalty of perjury) to :

I James A. Luecke was denied with willful and flagrant violations of the UAW-Delphi National agreement my rightful contractual transfer rights under paragraph 96a of the UAW-Delphi National Agreement.

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

By : James A. Luecke

Exhibit D

**In The United States Bankruptcy Court
Southern District of New York**

James A . Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

Debtors.

**UNSWORN DECLARATION *UNDER PENALTY of PERJURY*
IN LIEU OF AFFIDAVIT**

(Willful and reckless disregard , Intentional Tortious Interference with Contract)

James A. Luecke

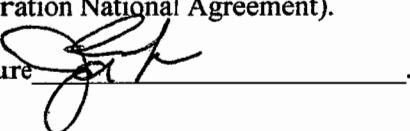
1

attest

(under penalty of perjury) to :

That Delphi and their company representatives willfully with malice and reckless disregard; deskilled my Journeyman status denying me my rightful transfer rights provided by the UAW-Delphi Corporation National Agreement (contract) , this was reckless , willful and proximate - Intentional Tortious Interference with the contract I have and had with the UAW (UAW-Delphi Corporation National Agreement).

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

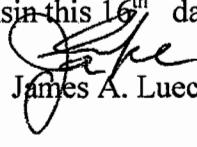
By : 
James A. Luecke

Exhibit E

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

UNSWORN DECLARATION *under penalty of perjury*
IN LIEU OF AFFIDAVIT

(Hired at full Journeyman status , Deskilled to Electronic Technician in training)

James A. Luecke

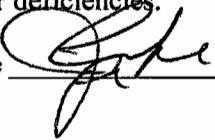
I

attest

(under penalty of perjury) to :

I James A. Luecke was hired at Delphi as a full Journeyman UAW represented skilled trades electronic technician and arbitrarily deskilled to Electronic Technician in Training(EIT) with no notice or deficiencies.

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

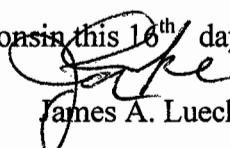
By :  James A. Luecke

Exhibit F

**In The United States Bankruptcy Court
Southern District of New York**

James A. Luecke
Creditor
v.

DELPHI CORPORATION, et al. ,
Debtors

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

**UNSWORN DECLARATION *UNDER PENALTY of PERJURY*
IN LIEU OF AFFIDAVIT
(Damages)**

James A. Luecke
I _____ attest

(under penalty of perjury) to :
Damages from intentional, willfull and reckless disregard and Interference of the Contract that
was and is in place with UAW - Delphi :

I have lost wages, overtime, and other wage compensation ; damage to professional reputation.
Of : 2 years of lost wages Claim # 18049 for One Hundred fifty-nine thousand dollars
(\$159,000.00)
And Claim # 17081 for 2 years future wages and other wage compensation loss with damage
to professional reputation; One Hundred fifty-nine thousand dollars (\$159,000.00).

Total Amount of claims - Three hundred eighteen thousand dollars (\$318,000.00)

Signature _____

Dated this 16th day of April 2010 in Milwaukee Wisconsin.

Dated at Milwaukee, Wisconsin this 16th day of April 2010.

By : James A. Luecke

Exhibit G

**In The United States Bankruptcy Court
Southern District Of New York**

James A. Luecke

Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11

Case No. 05-44481 (RDD)

(Jointly Administered)

Debtors.

**Declaration Under Penalty of Perjury
IN LIEU OF AFFIDAVIT**

(No Sworn Rebuttal of truth or sworn Testimony of truth from Delphi
Corporation Refuting James A. Luecke's Claims #17081 and #18049)

James A. Luecke

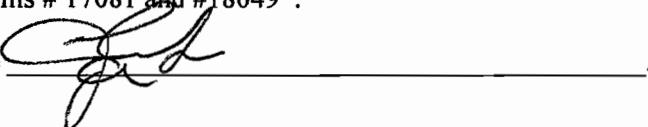
I

attest

(under penalty of perjury) to : —

I James A. Luecke have never been presented, nor has the court (to my knowledge) with any
sworn affidavits of truth or testimony from Delphi Corporation et al. refuting
my claims # 17081 and #18049 .

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

By : James A. Luecke

Exhibit H

**In The United States Bankruptcy Court
Southern District Of New York**

James A. Luecke
Creditor
v.

DELPHI CORPORATION, et al. , Chapter 11
Debtors. Case No. 05-44481 (RDD)
(Jointly Administered)

**Declaration Under Penalty of Perjury
IN LIEU OF AFFIDAVIT**

(James A. Luecke as UAW local 438 Skilled Trade Committee Chairman
and Memorandum for 96 transfer) [Claims #17081 and #18049]

James A. Luecke
I _____ attest

(under penalty of perjury) to :

I James A. Luecke was Chairman of the UAW Skilled Trades Committee Local 438 and had direct first hand knowledge of the Memorandum of Understanding Transfer of Major Operations Pursuant to Delphi-UAW National Agreement Paragraph (96) . The Memorandum stated that 23 skilled trades positions would be open and available, For the Milwaukee E&S Plant bargaining unit skilled trades employees including electronic technicians for the transfer of operations to Kokomo Indiana Plant.

Signature _____ 

Dated at Milwaukee, Wisconsin this 14th day of May 2010 .

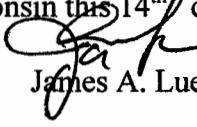
By :  James A. Luecke

Exhibit I

**In The United States Bankruptcy Court
Southern District Of New York**

James A. Luecke
Creditor
v.

DELPHI CORPORATION, et al. ,
Debtors.

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

**Declaration Under Penalty of Perjury
IN LIEU OF AFFIDAVIT**

(James A. Luecke as UAW local 438 Skilled Trade Committee Chairman
Reckless and Intentional Interference with a contract for skilled trades electronic
technicians) [Claims #17081 and #18049]

James A. Luecke
I _____ attest

(under penalty of perjury) to :

I James A. Luecke was Chairman of the UAW Skilled Trades Committee Local 438 and had direct first hand knowledge of the Memorandum of Understanding Transfer of Major Operations Pursuant to Delphi-UAW National Agreement Paragraph (96) . Delphi and their representatives were reckless with malice, invidious and deliberately interfered with this contract . The Memorandum stated that 23 skilled trades positions would be open and available, for the Milwaukee E&S Plant bargaining unit skilled trades employees including electronic technicians, for the transfer of operations to Kokomo Indiana Plant. They only took 2 Pipe fitters and intentionally abrogated this contract with malice, intentional deceit and reckless disregard for the UAW 438 Skilled Trades Committee and Chairman and the skilled trades employees including James A. Luecke .

Signature  .

Dated at Milwaukee, Wisconsin this 14th day of May 2010 .

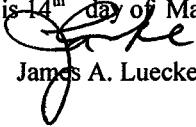
By :  James A. Luecke

Exhibit J

**In The United States Bankruptcy Court
Southern District Of New York**

James A. Luecke
Creditor
v.

DELPHI CORPORATION, et al. , Chapter 11
Debtors. Case No. 05-44481 (RDD)
(Jointly Administered)

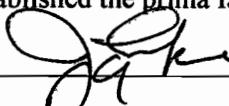
**Declaration Under Penalty of Perjury
IN LIEU OF AFFIDAVIT**

(James A. Luecke establishment of prima facie right to
[Claims #17081 and #18049]

I James A. Luecke attest

(under penalty of perjury) to :

I James A. Luecke with knowledge an belief have with all facts and evidence in the court record , established the prima facie right to claims #17081 and #18049

Signature .

Dated at Milwaukee, Wisconsin this 14th day of May 2010 .

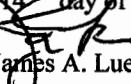
By :  James A. Luecke

Exhibit K

**In The United States Bankruptcy Court
Southern District of New York**

James A . Luecke
Creditor

v.

DELPHI CORPORATION, et al. ,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

**Declaration Under Penalty of Perjury
IN LIEU OF AFFIDAVIT**

(James A. Luecke as UAW local 438 Skilled Trades Committee Chairman
Intentional and Tortious interference with the paragraph 96 agreement occurred prior to
General Motors purchase of Kokomo operations.)

James A. Luecke

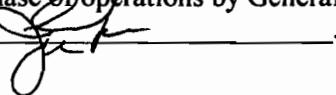
I

attest

(under penalty of perjury) to :

That the tortuous Interference and breach of the paragraph 96 transfer agreement occurred prior
to any purchase of operations by General Motors Corporation.

Signature



Dated at Milwaukee, Wisconsin this 16th day of April 2010 .

By : James A. Luecke

Exhibit L